

## DELEGATED DECISION REPORT

---

**SMD/2021/0847**  
**Valid 22/12/2021**

**BRAMPTON CHEDDLETON**  
**ROAD**  
**LEEK**

**PROPOSED EXTENSION AND**  
**ALTERATIONS**

**(FULL - HOUSEHOLDER)**

---

### MAIN ISSUES

Impact on the character and appearance of the area and the amenity of neighbours.

### DESCRIPTION OF SITE

The applicant's dwelling is in Birchall, the southern-most 'peninsula' of the Leek Town settlement. The dwelling is on the eastern side of Cheddleton Road overlooking Leek Golf Club to the west. The dwelling is at the end of a private driveway that has an access with Cheddleton Road, the private drive serves a total of three dwellings all fronting and parallel to the highway.

From the point of access with the private drive, the rising gradient of Cheddleton Road, from north to south, steepens and the applicant's dwelling, in comparison to its neighbour's to the north, marks a step up in height and profile resulting from its position on a notably greater plot height and its three storey front elevation. The dwelling is therefore apparent above the roadside hedgerow below and can be seen from Cheddleton Road.

The applicant's dwelling is split level with a three storey front elevation and two storey rear where it is built into rising garden land to the east and rear of the property.

The dwelling presents relatively simple form and character with a flat fronted elevation and roof ridge parallel to the road. The architecture perhaps dates from the 1970s – buff brick, wide picture windows, and tile cladding to the front. It appears to have been extended at the front with a two storey flat roof addition that has a garage below at ground floor and a large entrance porch at first floor with a roof that sits below the second floor bedroom windows above.

The dwelling is located between a hipped roof bungalow on the lower side to the north and a pre war hipped roof dwelling on the higher side to the north.

### PROPOSAL

The application proposes householder development, the alteration and enlargement of the dwelling with multiple elements. A confirmed revision has omitted a gallery balcony from the side north facing elevation that would have been positioned above the bungalow to the north on the low side.

#### Rear Elevation

A two storey addition that would span the full width of the rear elevation and extend out 5m, requiring excavation beyond the existing patio into the rising garden level at the rear. The additions rear elevation would have two symmetrical adjacent peaked

gables, joined centrally with a valley gutter. Each gable would contain a full height glazing feature at first floor and a wide bi folding patio door below.

#### Side North Facing Elevation

A small glazed porch would be replaced with a slim addition that would extend from the side elevation at first floor, onto existing patio at the side, and wrap around from the front spanning the majority of the original side elevation of the dwelling. It would present full height black obscured and black tinted windows to a shower room and gym. Toward the front corner of the dwelling a plant room would be built at ground floor where its roof would further extend the first floor patio to the side of the dwelling.

#### Front Elevation

The flat roof addition at first floor height would be replaced and rebuilt with its flat roof providing a second storey roof terrace balcony with access coming from a new full height glazing feature above. The balcony would be enclosed with glass panel railings. Above the balcony, twin gable features would be introduced to project from the flat front roof plane, within those gable features

#### To the Front

A double fronted, flat roof brick garage would be built at ground floor. The roof of the garage would provide a new patio area with first floor access from above. A new width of driveway would be built out to the front of the garage over existing lawn area that slopes away making a the construction of a new stepped out retaining wall necessary. The garage and driveway would replace an existing stone retained terrace wall and curved patio that is grown over with ivy.

### **RELEVANT LOCAL AND NATIONAL PLANNING POLICIES**

#### **Local Plan Development Plan Document (Adopted 2020)**

- S01 Spatial Objectives
- SS1 Development Principles
- SS5 Leek Area Strategy
- DC1 Design Considerations
- T1 Development and Sustainable Transport

Design Guide

#### **National Planning Policy Framework**

### **SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS**

None

## CONSULTATIONS

### Publicity

Site Notice expiry date: 16<sup>th</sup> Feb 2022

Neighbour consultation period ends: 16<sup>th</sup> Feb 2022

Press Advert: N/A

### Public Comments

The adjacent neighbour living at the bungalow (Four Winds) on the low side to the north of the applicant's property has made an objection. Their comments are summarised:

*A second storey balcony very close to my boundary would severely impact on the privacy enjoyed in the lounge and dining room and would tower over the patio area. The development would also block all the light from reaching garden and windows. The property Brampton is elevated and it is not possible or practical to screen to compensate this or address the privacy issue. This would reduce the value of my bungalow.*

The neighbour later messaged to say that the applicant had discussed some changes with them and agreed to remove the balcony from the side of the property and reduce loss of privacy from new ground floor windows with the erection of a screen fence. The neighbour confirmed that they were happy that this would be a better option.

### Town / Parish Comments

Leek Town Council: Not unneighbourly

## OFFICER COMMENTS

### Principle of Development

The site is within the town settlement of Leek, part of one of the 'market towns' identified in the Local Plan. Here Local Plan strategy policy SS5 applies. Generally, as part of a strategy to meet housing needs, SS5 supports well designed householder development that would meet the needs of a homeowner. Such development must comply with the other policies of the Local Plan, in particular Design Policy DC1 and the SMDC design guide.

### Design and Impact on the Character and Appearance of the Area

To comply with design policy DC1 of the Local Plan and the NPPF all development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council's Design Guide SPD.

The SPD guidance says that "Alterations need to be undertaken with care. Insensitive changes can easily spoil a building. The key to a sensitive approach is to take note of what is there already before preparing the design and to work with and not against the building's character (All extensions should harmonise with the parent building. An extension should respect the dominance of the original building and be subordinate to it in terms of its size and massing. Setting back the new section from the building line and keeping the eaves and ridge lower than the parent building will help").

The applicant's dwelling and property occupies an elevated prominent location above Cheddleton Road below and is stepped up notably from the neighbouring dwellings to the north on its lower side. Its height and presence from the roadside is exacerbated by its three storey front elevation. Currently, however, its impact on the character and appearance of the area is limited by its relatively simple and 'quiet' architecture that sits relatively comfortably between the bungalow on the low side and the hipped roof dwelling on the higher side.

However, with the proposals, alterations to the front elevation that would include roof alterations, the introduction of glazing features at second storey, and a high level roof balcony would introduce architectural detailing that would not reference the original dwelling or any within the locality. The proposed alterations would, at significant height and prominence, introduce unusual building form and detailing that would increase the dwellings prominence and make for an odd form of development against the context of its neighbours and surroundings. This development would fail to respect and be subordinate to the form and character of the original dwelling and, instead, introduce prominent building form at significant height and prominence to the detriment of character and appearance.

The ground floor garage building and the extension of retained driveway out to the front over the lawn area, would appear as a prominent and dominant intrusion to the front of the original dwelling. The flat roof brick building and its extended driveway would appear obtrusive and a poorly related form of development from Cheddleton Road below.

In all of these respects the proposal is contrary to design policy DC1 of the Local Plan and the Council design guide.

### **Impact on the Amenity and Living Conditions of Neighbours**

#### Beechcroft to the rear

The rear elevation of the dwelling behind is more than 45m away from the applicant's dwelling and is above at the top of rising garden. The two storey addition at the rear would not compromise the neighbour's reasonable outlook and privacy and there would be no conflict with standards set out in Council's Space About Dwellings guidance.

#### Hill Croft adjacent to the south on the high side

Hill Croft has the advantage of a higher plot level. The garden boundary has dense mature trees and shrubbery growing from the neighbour's side that provides screening. The separation distance between the two exceeds 5m. The rear addition would not unreasonably affect the privacy, outlook or daylight enjoyed by this neighbour.

#### Four Winds, bungalow adjacent to the north on the low side

On the face of it, from their latest representation, the omission of the balcony terrace from the side elevation and the offer of improved boundary enclosure (not detailed in the application) has appeased the neighbour. However, it is noted that in their original

comments they also expressed concern about overshadowing and loss of light, and it is not clear how there have been improvements in those regards. The neighbour's comments are to be attributed weight in the considerations, but it is still necessary to uphold standards of good design and ensure that the relationship and spaces between developments does not compromise living conditions.

With the omission of the balcony terrace from the side elevation, the neighbour's property would not be overlooked at the expense of their reasonable privacy. The narrow end or side of the much smaller balcony area at the front would have an above head height screen that would prevent the overall surveillance of their property from this position. The black obscure/tinted gym windows would be set back from the boundary and would replace a pre-existing kitchen window in this elevation, they would not result in anymore overlooking or loss of privacy than the existing situation.

However, the two storey side wall that would extend 5m from the rear elevation would flank the south side of the neighbour's garden boundary within close proximity of their rear elevation. The side wall would not obstruct a horizontal 45 degree sight line from the nearest adjacent window. However, because of its height, depth, position on elevated ground, and its situation to the south, it would overshadow and block sunlight to a meaningful part of the neighbour's garden and conservatory for much of the day. The side wall would also appear overbearing and imposing above their property within close proximity of the boundary.

### **Proposed revisions**

Beyond the omission of the side balcony terrace, the most recent attempt to amend the scheme was submitted on the 15<sup>th</sup> June 2022. The revised drawings show simplified alterations to the front elevation omitting the gable peaked glazing features from the second floor and roof line in favour of squared full height French windows. At the rear the revision attempts to take the rear addition close to a suggested permitted development 'fall back' position.

With the revision the rear addition would still extend from rear elevation by 5m at ground floor and 4m at first floor, as a result of some first floor cut back. It is suggested that this is just 1m more than what would be permitted. However, an enlargement with two storeys could only extend 3m from rear wall, a restriction that would be applicable at both ground floor and first floor. Also, the rear addition as proposed would require some significant excavation of the garden behind which is retained, such an engineering operation would not be permitted by the GPDO. Therefore, the proposed rear addition, as revised, is still significantly more than what would be achievable as permitted development and overall, with just 1m cut back at first floor, it would still have an overshadowing and overbearing impact on the property below.

Although there would be some improvement with the simplification of the alterations to the front elevation, the high level second floor balcony and the garage building to the front would be retained as part of the revised scheme and both of these elements have been criticised and identified as harmful for those reasons given above.

### **CONCLUSION / PLANNING BALANCE**

The proposals do not represent good design that is respectful of local distinctiveness and the character and appearance of the area. They would create development that is

at odds with the original character of the dwelling and those in the locality. The alterations to the dwelling's front elevation and the introduction of a new garage building and retained parking area would be at odds with the vernacular or more conventional character of the dwellings each side, appearing obtrusive and unduly prominent because of the property's elevated height and the dwelling's three storey presence. This would fail to reinforce local distinctiveness and be harmful to the character and appearance of the area when viewed from Cheddleton Road below. In these respects the development would be contrary to policies SS5 and DC1 of the SMDC Local Plan and the Design Guide for the area.

The two storey side wall of the addition to the rear elevation, positioned adjacent to the southern garden boundary of the neighbour at Four Winds, would overshadow and block light to a significant area of the neighbour's garden and their conservatory. The side wall would appear imposing, overbearing from this neighbour's property. This would adversely and unreasonably affect the amenity enjoyed by this residential neighbour. The development would therefore be contrary to policy DC1 of the SMDC Local Plan in these regards.

**OFFICER RECOMMENDATION : REFUSE**

**Case Officer: Ben Hurst**

**Recommendation Date: 17<sup>th</sup> June 2022**

X *B.J. Haywood*

---

Signed by: Ben Haywood

**On behalf of Staffordshire Moorlands District Council**